

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Continuation	)	
Application of	) For:	Method and Apparatus for
Edward G. Tiedemann, Jr. et al.	)	Maximizing the use of Available
	)	Capacity in a Communication
	)	System
Application No.: Unknown	)	
	)	
Filed: Herewith	) Group No.	Unknown

JC973 U.S. PTO  
09/779719  
02/08/01

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR § 1.97

Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Assistant Commissioner:

Applicants through their attorney submit herewith, in accordance with 37 CFR §1.98, a list references of which they are aware, which they believe may be material to the examination of this application and with respect to which there may be a duty to disclose in accordance with 37 CFR § 1.56. These have been previously submitted in the pending U.S. application serial no. 09/264,435, filed March 8, 1999, entitled Method and Apparatus for Maximizing the use of Available Capacity in a Communication System and currently assigned to the assignee of the present application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231, on:

8 February 2001

(Date of Deposit)

Carola Emelius-Swartz

(Name of the Person Making Deposit)

*Carola Emelius-Swartz*  
(Signature)

8 February 2001

(Date of Signature)

While the references identified herein may be material to the examination of this application pursuant to 37 CFR § 1.56, the citation of these references is not intended to constitute an admission that any reference referred to herein is prior art to the invention of this application unless specifically designated as such.

The filing of this document shall not be construed to mean that any search has been made or, that if made such search was complete or exhaustive, or that no other material information as defined in 37 CFR § 1.56 exists.

A list of the references cited herein is set forth on Form PTO-1449 which is enclosed herewith. In accordance with 37 CFR § 1.98(d) Applicants are not required to submit copies of the references and accordingly have not provided copies herewith. Applicants respectfully request that the Examiner return to Applicants the enclosed copy of the Form PTO-1449 indicating consideration of the references.

The subject application is believed patentable over any of the above-references.

Respectfully submitted,

Dated: 8 February 2001

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (REV. 7-80) PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. PA792D1	SERIAL NO. 09/264,435
INFORMATION DISCLOSURE			
STATEMENT BY APPLICANT (Use several sheets if necessary)		APPLICANT Edward G. Tiedemann, Jr. et al.	
DATE MAILED: February 8, 2001		FILING DATE HEREWITH	GROUP UNKNOWN

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	Ref No	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPRO- PRIATE
	A1	5 5 8 1 5 7 5	12/03/1996	ZEHAVI, ET AL.			
	A2	4 9 0 1 3 0 7	02/13/1990	Gilhousen, et al.			
	A3						
	A4						
	A5						
	A6						
	A7						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	Ref No	DOCUMENT NUMBER	DATE	COUNTRY	NAME	CLASS	SUB CLASS
	B1	9 8 3 5 5 1 4	08/13/1998	WO	QUALCOMM INC., San Diego, California (USA)		
	B2						
	B3						
	B4						
	B5						

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Page, Etc.)

	C1		A. Sampath, et al, " <u>Access Control of Data in Integrated Voice/Data CDMA Systems: Benefit and Tradeoffs</u> ," IEEE Journal on Selected Areas in Communications, US, IEEE, Inc., New York, NY, (USA). Vol. 15, No. 8, 1 October 1997, pp. 1511-1526.
	C2		Z. Liu, " <u>Channel Access and Interference in Multi-Code DS-CDMA Wireless Packet (ATM) Networks</u> " Wireless Networks, US, ACM. Vol. 2, No. 3, 1 August 1996. Pp. 173-192.
	C3		
EXAMINER			DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			